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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

2008 JUL 24 AM 11:25

UNITED STATES OF AMERICA,

Plaintiff,

v.

Isauro MURILLO-Miramontes,

Defendant

Magistrate Docket No.

U8 MJ 2248

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

COMPLAINT FOR VIOLATION OF

DEPUTY

Title 8, U.S.C., Section 1326


Deported Alien Found in the

United States

The undersigned complainant, being duly sworn, states:

On or about **July 22, 2008** within the Southern District of California, defendant, **Isauro MURILLO-Miramontes**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

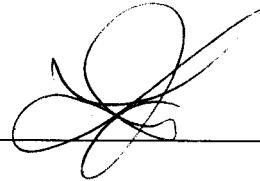
And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley

Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 24th DAY OF JULY, 2008


Leo S. Papas

UNITED STATES MAGISTRATE JUDGE

### **PROBABLE CAUSE STATEMENT**

On July 22, 2008, Border Patrol Agent R. Ewers, was performing his assigned duties in the Pine Valley Border Patrol Station area of operations. At approximately 11:45 a.m., Agent Ewers responded to a seismic intrusion device located Northeast of the Tecate, California Port of Entry.

Agent Ewers arrived in the area and found fresh footprints on a road. He followed the footprints north until he found ten individuals trying to hide under some thick brush. Agent Ewers approached the group and identified himself as a United States Border Patrol Agent and began to question each individual as to their immigration status. All ten, including later identified as the defendant **Isauro MURILLO-Miramontes**, stated that they were citizens and nationals of Mexico without any immigration documents allowing them to enter or remain legally in the United States. At approximately 12:15 p.m., all ten individuals were arrested and transported to the Pine Valley Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on March 11, 1996** through **Otay Mesa, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.